

Panaji, 26th March, 2009 (Chaitra 5, 1931)

SERIES I No. 52

OFFICIAL GAZETTE

GOVERNMENT OF GOA

NOTE

There is one Extraordinary issue to the Official Gazette, Series I No. 51 dated 19-3-2008 namely, Extraordinary dated 20-3-2009 from pages 1449 to 1452 regarding Press Communiqué and Notification from Department of Finance (Debt Management) Division.

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GOVERNMENT OF GOA**Department of Co-operation****Notification**

42-7-2008/TS/RCS/3313

In exercise of the powers conferred by sub-section (3) of Section 1 of the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001), the Government of Goa hereby brings into force the Goa Co-operative Societies (Amendment) Act, 2009 (Goa Act 3 of 2009) from the date of issue of this Notification.

By order and in the name of the Governor of Goa.

P. K. Patidar, Registrar of Co-operative Societies & ex officio Joint Secretary.

Panaji, 20th March, 2009.

Goa Legislature Secretariat

LA/LEGN/2009/3848

The following bill which was introduced in the Legislative Assembly of the State of Goa on 23rd March, 2009 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Land Acquisition (Goa Amendment) Bill, 2009

(Bill No. 9 of 2009)

A

BILL

further to amend the Land Acquisition Act, 1894 (Central Act 1 of 1894), as in force in the State of Goa.

Be it enacted by the Legislative Assembly of Goa in the Sixtieth Year of the Republic of India as follows:-

1 Short title and commencement.—(1) This Act may be called the Land Acquisition (Goa Amendment) Act, 2009.

(2) It shall be deemed to have come into force with effect from 15-10-1964.

2 Amendment of Section 41.— In Section 41 of the Land Acquisition Act, 1894 (Central Act 1 of 1894), as in force in the State of Goa, after clause (5), the following shall be inserted, namely:—

(6) Notwithstanding anything contained in the judgement, decree or an order of any Court tribunal or any other authority, any development done or construction undertaken in pursuance of the agreement entered under this section between the Government and the Company on the basis of the statutory approvals like permissions granted by the Planning and Development Authority, Eco-Development Council, Goa Coastal Zone Management Authority, Municipal Council, Panchayat, including renewals and deviations thereof approved and regularized, and all permissions obtained by the company and all the buildings constructed by the Company and all the proceedings taken by the competent authorities to issue the license or permission for undertaking construction, shall be deemed to have been validly done and have always been undertaken in accordance with the said agreement.

(7) Notwithstanding anything contained in the judgement, decree, or Order of any Court, Tribunal or any other Authority the appropriate Government shall be at liberty to modify the agreement executed under this section between the Government and the Company on mutually agreed terms in furtherance of the purpose for which the land was acquired, by publication of the modified agreement in the Official Gazette, and any such modifications made in the agreement, shall come into force from the date on which the original agreement with the Company was executed under this section and any action taken or things done under the modified agreement, shall for all purposes be deemed and to have always been done or taken in accordance with the original agreement."

(8) Notwithstanding anything contained in any judgment, decree or order of any Court, Tribunal or any other authority, if in any agreement entered into between the Government and the Company there be any clause prohibiting the Company to construct any building or structures in the acquired land such clause shall stand deleted with retrospective effect from 15-10-1964.

(9) No suit or other proceeding shall be instituted, maintained or continued in any Court or before any Tribunal or other authority for cancellation of such permission or for demolition of buildings which were constructed after obtaining the permissions from the Statutory Authorities and have been validated under this section, or for questioning the validity of any action taken or things done or permission granted in pursuance of the original agreement as modified and no Court shall enforce or recognize any decrees, judgement or orders declaring any such action taken or things done under the original agreement as modified, as invalid or unlawful."

3 Repeal and saving.—(1) The Land Acquisition (Goa Amendment) Ordinance, 2009 (Ordinance No. 2 of 2009) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "Principal Act") as amendment by the Ordinance, namely, Land Acquisition (Goa Amendment) Ordinance, 2009 (Ordinance No. 2 of 2009), shall be deemed to have been done or taken under the principal Act as amendment by this Act.

Statement of Objects and Reasons

Chapter VII of the Land Acquisition Act, 1894 deals with acquisition of land by the Government for companies under this chapter. The Government has acquired land for various companies and for Acquiring land, the requirement of execution of an agreement between Government and Company in terms of Section 41 of the Land Acquisition Act, 1894 had been executed by Government with various companies for whom land has been acquired under Chapter VII of the Land Acquisition Act. Recently, the Hon'ble Supreme Court in the case of Fomento Resort and Hotels Limited and another Appellant(s) Versus Minguel Martins and others Respondent(s) in Civil Appeal No. 4154,

4155 and 4156 of 2000 has held that the clauses of the agreements have the force of law. The Hon'ble Supreme Court has thereafter interpreted the clause of agreement which was not as per the intention of the parties to the agreement. The Apex Court have also specifically held that there is no power to amend, modify, alter or change of agreement entered into as per requirement of Section 41 of the Act, 1894. It is therefore felt necessary to amend the Act by conferring power on the Government to modify or amend the agreement. This power is otherwise also necessary with changing time. Amendment to agreement may be the need of the days.

Therefore it is proposed to amend provision of section 41 of the Land Acquisition Act, 1894 (1 of 1894), after clause (5), by incorporating new clause namely Clauses (6),(7),(8) and (9) in order to meet the requirement thereof so as to enable the Government to exercise power to modify any agreement to meet the exigencies arising at any time, wherein acquisitions made for Companies in which agreements under Section 41 have been executed and with changing times, it may be required to modify such agreements to bring in conformity with the purpose of acquisition or in public interest.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum of Delegation Legislation

No Delegation Legislation is envisaged in this Bill.

Porvorim-Goa
19 March, 2009.

JOSE PHILLIP D'SOUZA
Minister Revenue

Assembly Hall,
Porvorim,
19 March, 2009.

R. KOTHANDARAMAN
Secretary Legislature

LA/LEGN/2009/3862

The following bill which was introduced in the Legislative Assembly of the State of Goa on 24th March, 2009 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

THE GOA TOWN AND COUNTRY PLANNING (AMENDMENT) BILL, 2009

(Bill No. 10 of 2009)

A

BILL

to amend the Goa Town and Country Planning Act, 1974.

1 *Short title and commencement.*— (1) This Act may be called the Goa Town and Country Planning (Amendment) Bill 2009.

- (2) It shall extend to the whole of Goa.
- (3) It shall come into force at once.

2 *Substitution of Section 9.*— In the Goa Town and Country Planning Act, 1974, hereinafter referred to as the Principal Act, for the existing section 9, the following shall be substituted, namely:—

"9. Power to direct preparation of Development Plans:—

(1) The Government shall direct every Panchayat and every Municipal Council or Corporation to prepare Development Plan every year within their jurisdiction and submit it to Zilla Panchayat.

(2) Every Zilla Panchayat shall prepare every year a Development Plan of the District after including the Development Plans of Panchayats and submit it to District Planning Committee.

(3) In case of Municipalities/Corporations such plan shall be submitted to District Planning Committee constituted under section 239 of the Goa Panchayat Raj Act, 1994.

(4) The Government shall constitute a District Planning Committee to consolidate the plans prepared by Zilla Panchayats, Panchayats and Municipal Councils in the District.

(5) The Composition of District Planning Committee shall be as provided in Section 239 of Goa Panchayat Raj Act, 1994

(6) The District Planning Committee shall consolidate the plans as prepared by Zilla Panchayats, Panchayats, Municipal Councils in the District and prepare a Draft Development Plan for the District and forward the same to the Government.

3. Substitution of Section 10.— In the Principal Act, for the existing section 10, the following shall be substituted, namely:—

"10. Preparation of Development Plan.— District Planning Commission shall submit the plans to the Government for its approval subject to the provisions of this Act and rules and regulations framed thereunder."

4. Substitution of Section 11.— In the Principal Act, for the existing section 11, the following shall be substituted, namely:—

"11. Contents of Development Plan:—

(1) Subject to the provisions of this Act and rules made thereunder, the Development Plans shall indicate the stages by which development may be carried out, the network of transport and communication lines, the proposals for conservation and the development of natural resources and other matters as may have influence on the development of the area.

(2) In particular, and without prejudice to the generality of the foregoing provisions, a Development Plan may provide for all or any of the following matters, namely:—

(a) The broad demarcation of areas for agricultural, forestry, industry, mineral development, urban and rural settlements and other activities.

(b) The reservation of land for recreation, botanical, and zoological gardens, natural reserves, animal sanctuaries, dairies and health resorts and for the preservation, conservation and development of areas of natural scenery, forest, wild life, natural resources and landscaping.

(c) Preservation of objects, features, structures or places of historical, natural, archaeological or scientific interest and educational value.

(d) The prevention of erosion of soil, provision for afforestation, or re-afforestation, improvement and re-development of water front areas, rivers and lakes.

(e) Transport and communications network such as roads, highways, railways, waterways, canals and airports including their future development.

(f) Rural and Urban centers, both existing and new, indicating the extent of their anticipated growth.

(g) For irrigation, water supply and hydroelectric works flood control and prevention of water pollution.

(h) Providing for the re-location of population or industry from over-populated and industrially congested areas, and indicating the density of population or the concentration of industry to be allowed in any areas."

5. Substitution of Section 12.— In the Principal Act, for the existing section 12, the following shall be substituted, namely:—

"12. Public notice of the Development Plan:—

(1) The Chief Town Planner shall notify the Development Plan as prepared under section 10 in the Official Gazette, and also in one or more local newspapers, indicating therein the place or places where copies of the same may be inspected and inviting comments in writing from the public on the Development Plan within such period as may be specified in such notification:

Provided that such period shall not be less than two months from the date on which the Development Plan was published in the Official Gazette.

(2) After the expiry of the period mentioned in sub-section (1) the Chief Town Planner shall refer the comments received from the public to the Government for its consideration.

(3) The Chief Town Planner shall, if necessary, revise the Development Plan and the report in the light of any modification suggested by the general public and submit them to the Government."

6. Substitution of Section 13.— In the Principal Act, for the existing section 13, the following shall be substituted, namely:—

"13. Approval by the Government:—

(1) The Government shall within the prescribed period, either approve the Development Plan as submitted to it under section 12 or may approve the Development Plan with such modifications as it may consider necessary, or may return the said Plan to the Chief Town Planner with instructions either to modify the plan or to prepare a fresh Development Plan in accordance with such directions as the Government may issue in this behalf.

(2) Where a fresh Development Plan is required to be prepared under sub-section (1) the provisions of sections 11 and 12 shall, as far as may be, apply to the preparation and approval of such Plan."

7. Substitution of Section 14.— In the Principal Act, for the existing section 14, the following shall be substituted, namely:—

"14. Publication of Development Plan.—

The Chief Town Planner shall hereafter notify the Development Plan as approval by the Government in the Official Gazette and also in one or more local newspapers, indicating therein the place or places where copies of the same may be inspected."

8. Substitution of Section 15.— In the Principal Act, for the existing section 15, the following shall be substituted, namely:—

"15. Effect of Development Plan:—

On and from the date of publication of the Development Plan under section 15 for an area, all developmental programmes undertaken within that area by any Department of the Government or by any other person, shall conform to the provisions of such Development Plan."

STATEMENT OF OBJECT AND REASONS

The Bill is brought under the 73rd and 74th Amendments to the Constitution of India, it is obligatory on the Government to take steps to organise village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of local self Government. This Bill is brought to promote these objectives.

FINANCIAL MEMORANDUM

No financial implications are involved.

MEMORANDUM ON DELEGATED LEGISLATION

Delegated Legislation is envisaged which is of normal character.

Assembly Hall, DAYANAND G. NARVEKAR
Porvorim-Goa. M.L.A.
Dated: 3rd March, 2009

Assembly Hall, R. KOTHANDARAMAN
Porvorim-Goa. Secretary
Dated: 3rd March, 2009

(Annexure to Bill No. of 2009)

.....
The Goa Town and Country Planning Act, 1974
.....

Section 9:— *Power to direct preparation of regional plans.*— The Government may direct the Chief Town Planner to prepare regional plans for any part or parts of the Union territory and the period within which such regional plans may be prepared shall be specified in the direction.

Section 10:— *Preparation of regional plans.*— Subject to the provisions of this Act and rules and regulations made thereunder, the Chief Town Planner shall after carrying out such surveys as may be necessary of the physical, Social and economic conditions and potentialities of the area in respect of which a regional plan is to be prepared under section 9, prepare a regional plan for such area together with a report explaining the various aspects of development proposed in such plan.

Section 11:— *Contents of regional Plan.*—(1) Subject to the provisions of this Act and any rules made thereunder, the regional plan shall indicate the stages by which development may be carried out, the network of transport and communication lines, the proposals for conservation and the development of natural resources and such other matters as may have an influence on the development of the concerned area.

(2) In particular, and without prejudice to the generality of the foregoing provisions, a regional plan may provide for all or any of the following matters, namely:-

- (a) the broad demarcation of areas for agriculture, forestry, industry, mineral development, urban and rural settlements and other activities;
- (b) the reservation of land for recreation, botanical and zoological gardens, natural reserves, animal sanctuaries, dairies and health and resorts and for the preservation, conservation and development of areas of natural scenery, forests, wild life, natural resources and landscaping;
- (c) preservation of objects, features, structures or places of historical, natural, archaeological or scientific interest and educational value;
- (d) the prevention of erosion of soil, provision for afforestation, or re-afforestation, improvement and re-development of water front areas, rivers and lakes;
- (e) transport and communications network such as roads, highways, water ways, canals and airports including their future development;
- (f) rural and urban centers, both existing and new, indicating the extent of their anticipated growth;
- (g) for irrigation, water supply and hydroelectric works, flood control and prevention of water pollution;
- (h) providing for the re-location of population or industry from over-populated and industrially congested areas, and indicating the density of population or the concentration of industry to be allowed in any areas.

Section 12:— *Board to consider the regional plan.*—

The Chief Town Planner shall refer the regional plan prepared under section 10, to the Board for its consideration and may make such changes in the regional plan as may be necessary in the light of the views expressed by the Board.

Section 13:— *Public notice of the regional plan.*—

(1) The Chief Town Planner shall notify the regional plan as modified under section 12, in the Official Gazette, and also in one or more local newspapers, indicating therein the place or places where copies of the same may be inspected and inviting comments in writing from the public on the regional plan within such period as may be specified in such notification:

Provided that such period shall not be less than two months from the date on which the regional plan is published in the Official Gazette.

- (2) After the expiry of the period mentioned in sub-section (1), the Chief Town Planner shall refer the comments received from the public to the Board for its consideration.
- (3) The Chief Town Planner shall, if necessary, revise the regional plan and the report in the light of any modification suggested by the Board and submit them to the Government together with the comments received from the public on the regional plan for approval.

Section 14:— *Approval by Government.*— (1) The Government may, within the prescribed period, either approve the regional plan as submitted to it under section 13 or may approve the regional plan with such modifications as it may consider necessary, or may return the said plan to the Chief Town Planner with instructions either to modify the plan in accordance with such directions as the Government may issue in this behalf.

(2) Where a fresh regional plan is required to be prepared under sub-section (1), the provisions of sections 12 and 13 shall, as far as may be, apply to the preparation and approval of such plan.

15:— *Publication of regional Plan.*— The Chief Town Planner shall notify the regional plan as approved by the Government in the Official Gazette and also in one or more local newspapers, indicating therein the place or places where copies of the same may be inspected.

ASSEMBLY HALL,
PORVORIM-GOA,
3rd March, 2009.

R. KOTHANDARAMAN
SECRETARY

LA/LEGN/2009/3863

The following bill which was introduced in the Legislative Assembly of the State of Goa on 24th March, 2009 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Appropriation (No. 2) Bill, 2009

(Bill No. 7 of 2009)

A

BILL

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Goa for the services and purposes of the financial year 2008-09.

Be it enacted by the Legislative Assembly of Goa in the Sixtieth Year of the Republic of India as follows:-

1. *Short title.*— This Act may be called the Goa Appropriation (No. 2) Act, 2009.

2. *Issue of Rs. 42,49,58,000 out of the Consolidated Fund of the State of Goa for the financial year 2008-09.*— From and out of the Consolidated Fund of the State of Goa, there may be paid and applied sums not exceeding those specified in column (5) of the Schedule of this Act amounting in the aggregate to the sums of *Forty two crores forty nine lakhs and fifty eight thousand rupees* towards defraying the several charges which will come in the course of payment during the financial year 2008-09 in respect of the services and purposes specified in column (2) of the said Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Goa under this Act, shall be appropriated for the services and purposes expressed in the Schedule to this Act in relation to the said financial year.

SCHEDULE

(See Sections 2 and 3)

(Rs. in lakhs)

Demand No.	Services and purposes	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated Fund of the State of Goa	Total
(1)	(2)	(3)	(4)	(5)
01	Legislature Secretariat	20.00		20.00
A1	Raj Bhavan (Charged)	—	19.02	19.02
13	Transport	30.00	—	30.00
14	Goa Sadan	10.00	—	10.00
21	Public Works	1000.00	—	1000.00
25	Home Guards and Civil Defence	16.00	—	16.00
32	Finance	700.00	—	700.00
35	Higher Education	—	5.97	5.97
42	Sports and Youth Affairs	478.75	—	478.75
48	Health Services	141.00	—	141.00
51	Goa Dental College	10.50	—	10.50
52	Labour	36.00	—	36.00
58	Women and Child Development	3.00	—	3.00
62	Law	30.00	—	30.00
68	Forests	196.79	—	196.79
70	Civil Supplies	52.55	—	52.55
75	Planning, Statistics and Evaluation	1500.00	—	1500.00
TOTAL		4224.59	24.99	4249.58

Statement of Objects and Reasons

The Supplementary Demands for Grants for the year 2008-2009 (Third Batch) was presented to the Legislative Assembly. This Bill is introduced in pursuance of Article 204 read with Article 205 of the Constitution of India to provide for appropriation of certain further sums from and out of the Consolidated Fund of the State of Goa, to meet the expenditure on certain services, granted by the Legislative Assembly for those services.

Porvorim,
.... March, 2009.

DIGAMBAR KAMAT
Finance Minister/Chief Minister

Governor's Recommendation

The Governor has, in pursuance of Article 207 of the Constitution of India, recommended to the Legislative Assembly, the introduction and consideration of the Goa Appropriation (No. 2) Bill, 2009.

LA/LEGN/2009/3864

The following bill which was introduced in the Legislative Assembly of the State of Goa on 24th March, 2009 is hereby published for general information in pursuance of Rule-138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Appropriation (Vote on Account) Bill, 2009

(Bill No. 8 of 2009)

A

BILL

to provide for the withdrawal of certain further sums from and out of the Consolidated Fund of the State of Goa for the services and purposes of the financial year 2009-10.

Be it enacted by the Legislative Assembly of Goa in the Sixtieth Year of the Republic of India as follows:-

1. *Short title.*— This Act may be called the Goa Appropriation (Vote on Account) Act, 2009.

2. *Withdrawal of Rs. 2479,52,97.000/- from and out of the Consolidated Fund of the State of Goa for the financial year 2009-10.*— From and out of the Consolidated Fund of the State of Goa, there may be paid and applied sums not exceeding those specified in column (5) of the Schedule to this Act amounting in the aggregate to the sums of *Two thousand four hundred seventy nine crores fifty two lakhs and ninety seven thousand rupees* towards defraying the several charges which will come in the course of payment during the financial year 2009-10 in respect of the services and purposes specified in column (2) of the said Schedule.

3. *Appropriation.*— The sums authorised to be paid from and out of the Consolidated Fund of the State of Goa under this Act, shall be appropriated for the services and purposes expressed in the Schedule to this Act in relation to the said financial year.

SCHEDULE

(See sections 2 and 3)

(Rs in lakhs)

Demand No.	Services and purposes	Voted by Assembly	Sums not exceeding	Total
			Charged on the Consolidated Fund of the State of Goa	
(1)	(2)	(3)	(4)	(5)
01	Legislature Secretariat	448.33	19.58	467.92
A1	Raj Bhavan (Charged)	—	159.27	159.27
02	General Administration and Co-ordination	1186.66	—	1186.66
03	District and Session Court, North Goa	283.27	—	283.27
04	District and Session Court, South Goa	276.10	—	276.10
05	Prosecution	89.54	—	89.54
06	Election Office	825.10	—	825.10
07	Settlement and Land Records	246.96	—	246.96
08	Treasury and Accounts Administration, North Goa	29840.59	—	29840.59
09	Treasury and Accounts Administration, South Goa	91.40	—	91.40
A2	Debt Services (Charged)	2080.63	34661.55	36742.18
10	Notary Services	167.73	—	167.73
11	Excise	252.44	—	252.44
12	Commercial Taxes	660.46	—	660.46
13	Transport	1287.02	—	1287.02
A3	Goa Public Service Commission (Charged)	—	60.83	60.83
14	Goa Sadan	95.42	—	95.42
15	Collectorate, North Goa	446.56	—	446.56
16	Collectorate, South Goa	1021.56	—	1021.56
17	Police	6557.13	—	6557.13
18	Jails	996.40	—	996.40
19	Industries, Trade and Commerce	1092.03	—	1092.03
20	Printing and Stationery	331.98	—	331.98
21	Public Works	29264.57	0.04	29264.61
22	Vigilance	32.79	—	32.79
23	Home	97.21	—	97.21
25	Home Guards and Civil Defence	180.18	—	180.18
26	Fire and Emergency Services	478.13	0.83	478.96
27	Official Language	68.29	—	68.29
28	Administrative Tribunal	32.17	—	32.17
29	Public Grievances	7.29	—	7.29
30	Small Saving and Lotteries	577.45	—	577.45
31	Panchayats	2858.17	—	2858.17
32	Finance	7022.93	—	7022.93
33	Revenue	265.29	—	265.29
34	School Education	19801.09	—	19801.09

(1)	(2)	(3)	(4)	(5)
35	Higher Education	3878.31	—	3878.31
36	Technical Education	314.85	—	314.85
37	Government Polytechnic, Panaji	339.19	—	339.19
38	Government Polytechnic, Bicholim	109.77	—	109.77
39	Government Polytechnic, Curchorem	65.19	—	65.19
40	Goa College of Engineering	967.58	—	967.58
41	Goa Architecture College	117.60	—	117.60
42	Sports and Youth Affairs	2574.35	—	2574.35
43	Art and Culture	2438.88	—	2438.88
44	Goa College of Art	84.46	—	84.46
45	Archives and Archaeology	732.67	—	732.67
46	Museum	53.56	—	53.56
47	Goa Medical College	4904.38	—	4904.38
48	Health Services	4984.48	—	4984.48
49	Institute of Psychiatry and Human Behaviour	409.33	—	409.33
50	Goa College of Pharmacy	154.25	—	154.25
51	Goa Dental College	347.84	—	347.84
52	Labour	469.88	—	469.88
53	Food and Drugs Administration	128.44	—	128.44
54	Town and Country Planning	393.44	—	393.44
55	Municipal Administration	5047.17	—	5047.17
56	Information and Publicity	524.71	—	524.71
57	Social Welfare	6331.23	—	6331.23
58	Women and Child Development	1110.69	—	1110.69
59	Factories and Boilers	83.46	—	83.46
60	Employment	40.92	—	40.92
61	Craftsmen Training	966.63	—	966.63
62	Law	351.71	—	351.71
63	Rajya Sainik Board	17.48	—	17.48
64	Agriculture	1560.53	—	1560.53
65	Animal Husbandry and Veterinary Services	1157.64	—	1157.64
66	Fisheries	850.55	—	850.55
67	Parts Administration	431.67	—	431.67
68	Forests	1150.10	—	1150.10
70	Civil Supplies	2359.11	—	2359.11
71	Co-operation	742.95	—	742.95
72	Science, Technology and Environment	267.25	—	267.25
73	State Election Commission	37.04	—	37.04
74	Water Resources	10350.38	—	10350.38
75	Planning, Statistics and Evaluation	602.73	—	602.73
76	Electricity	41952.64	—	41952.64
77	River Navigation	816.92	—	816.92
78	Tourism	1772.63	—	1772.63
79	Goa Gazetteer	9.25	—	9.25
80	Legal Metrology	67.55	—	67.55
82	Information Technology	1934.58	—	1934.58
83	Mines	82.10	—	82.10
TOTAL		213050.86	34902.11	247952.97

Statement of Objects and Reasons

This Bill is introduced in pursuance of Article 206 (1) of the Constitution of India to provide for the appropriation out of the Consolidated Fund of the State of Goa, of the moneys required to meet the expenditure charged on the Consolidated Fund of the State of Goa and the grants made in advance by the Goa Legislative Assembly in respect of the estimated expenditure of the Government of Goa for five months i.e. April to August 2009.

Panjim,
March, 2009.

DIGAMBAR KAMAT
Finance Minister/Chief Minister

Governor's Recommendation

The Governor has, in pursuance of Article 207 of the Constitution of India, recommended to the Legislative Assembly, the introduction and consideration of the Goa Appropriation (Vote on Account) Bill, 2009.

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Department of Law & Judiciary

Legal Affairs Division

Notification

10/2/2007-LA(Part file)/80

The Vice-President's Pension (Amendment) Act, 2008 (Central Act No. 29 of 2008), which has been passed by Parliament and assented to by the President of India on 30-12-2008 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 31-12-2008, is hereby published for general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Panjim, 6th March, 2009.

THE VICE-PRESIDENT'S PENSION (AMENDMENT) ACT, 2008

A N

ACT

further to amend the Vice-President's Pension Act, 1997.

Be it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:-

1. Short title and commencement.— (1) This Act may be called the Vice-President's Pension (Amendment) Act, 2008.

(2) Clause (i) of section 2 shall be deemed to have come into force on the 1st day of January, 2006 and the remaining provisions of this Act shall come into force at once.

2. Amendment of section 2.— In section 2 of the Vice-President's Pension Act, 1997 (hereinafter referred to as the principal Act),—

(i) in sub-section (1), for the words "of twenty thousand rupees", the words "at the rate of fifty per cent. of the salary of the Vice-President" shall be substituted;

(ii) in sub-section (2), for clause (c), the following clause shall be substituted, namely:—

"(c) to secretarial staff consisting of a Private Secretary, an Additional Private Secretary, a Personal Assistant and two Peons and office expenses not exceeding sixty thousand rupees per annum.".

3. Amendment of section 3A.— In section 3A of the principal Act, for the words "unfurnished residence", the words and brackets "furnished residence (including its maintenance)" shall be substituted.

4. Insertion of new section 6.— After section 5 of the principal Act, the following section shall be inserted, namely:—

6. Power to remove difficulties.— (1) If any difficulty arises in giving effect to the provisions of this Act as amended by the Vice-President's Pension (Amendment) Act, 2008, the Central Government may, by order, do anything not inconsistent with such provisions for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiration of two years from the date on which this Act comes into force.

(2) Every order made under sub-section (1) shall be laid before each House of Parliament.".

Notification

10/2/2007-LA(Part file)/79

The President's Emoluments and Pension (Amendment) Act, 2008 (Central Act No. 28 of 2008), which has been passed by Parliament and assented to by the President of India on 30-12-2008 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 31-12-2008, is hereby published for general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Panjim, 6th March, 2009.

THE PRESIDENT'S EMOLUMENTS AND PENSION (AMENDMENT) ACT, 2008

A N

ACT

further to amend the President's Emoluments and Pension Act, 1951.

Be it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

1 Short title and commencement.— (1) This Act may be called the President's Emoluments and Pension (Amendment) Act, 2008.

(2) The provisions of section 2 and clause (i) of section 3 shall be deemed to have come into force on the 1st day of January, 2006 and remaining provisions of this Act shall come into force at once.

2 Amendment of section 1A.— In section 1A of the President's Emoluments and Pension Act, 1951 (hereinafter referred to as the principal Act), for the words "fifty thousand rupees", the words "one lakh fifty thousand rupees" shall be substituted.

3 Amendment of section 2.— In section 2 of the principal Act,—

(i) in sub-section (1), for the words "of three lakh rupees per annum", the words "at the rate of fifty per cent. of the emoluments of the President per month" shall be substituted;

(ii) in sub-section (2), for clauses (a) and (b) the following clauses shall be substituted, namely:—

"(a) to the use of a furnished residence (including its maintenance), without payment of rent, two telephones (one for internet and broadband connectivity), one mobile phone with national roaming facility and motor-car, free of charge or to such car allowance as may be specified in the rules;

(b) to secretarial staff consisting of a Private Secretary, one Additional Private Secretary, one Personal Assistant, two Peons and office expenses up to sixty thousand rupees per annum.".

4 Amendment of section 3A.— In section 3A of the principal Act, for clause (b), the following clause shall be substituted, namely:—

"(b) after ceasing to hold office as President, either on the expiration of his term of office or by resignation of his office, shall be entitled,—

(i) to the use of furnished residence (including its maintenance) without payment of licence fee;

(ii) to secretarial staff consisting of a Private Secretary and a Peon and office expenses as per actuals, the total expenditure on which shall not exceed twelve thousand rupees per annum;

(iii) to a telephone and a motor-car, free of charge or such car allowance for the remainder of his life, as may be specified in the rules;

(iv) to travel anywhere in India, in a calendar year to twelve single journeys, by the highest class, by air, rail or steamer, accompanied by a companion or a relative.".

5 Insertion of new section 6.— After section 5 of the principal Act, the following section shall be inserted, namely:—

6. Power to remove difficulties.— (1) If any difficulty arises in giving effect to the provisions of this Act, as amended by the President's Emoluments and Pension (Amendment) Act, 2008, the Central Government may, by order, do anything not inconsistent with such provisions for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiration of two years from the date on which this Act comes into force.

(2) Every order made under sub-section (1) shall be laid before each House of Parliament.".

Notification

10/2/2007-LA(Part file)/81

The Salaries and Allowances of Officers of Parliament (Amendment) Act, 2008 (Central Act No. 30 of 2008), which has been passed by Parliament and assented to by the President of India on 30-12-2008 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 31-12-2008, is hereby published for general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Pavrorim, 6th March, 2009.

**THE SALARIES AND ALLOWANCES OF
OFFICERS OF PARLIAMENT
(AMENDMENT) ACT, 2008**

A N

ACT

further to amend the Salaries and Allowances of Officers of Parliament Act, 1953.

Be it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Salaries and Allowances of Officers of Parliament (Amendment) Act, 2008.

2. *Amendment of section 3 of Act 20 of 1953.*— In section 3 of the Salaries and Allowances of Officers of Parliament Act, 1953, in sub-section (1) for the words "forty thousand rupees", the words "one lakh twenty-five thousand rupees" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of January, 2006.

Notification

10/2/2007-LA(Part file)/77

The National Waterway (Kakinada-Puducherry Stretch of Canals and the Kaluvelly Tank, Bhadrachalam-Rajahmundry Stretch of River Godavari and Wazirabad-Vijayawada Stretch of River Krishna) Act, 2008 (Central Act No. 24 of 2008), which has been passed by Parliament and assented to by the President of India on 17-11-2008 and published in the Gazette of India,

Extraordinary, Part II, Section 1, dated 18-11-2008, is hereby published for general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Pavrorim, 6th March, 2009.

THE NATIONAL WATERWAY (KAKINADA-PUDUCHERRY STRETCH OF CANALS AND THE KALUVELLY TANK, BHADRACHALAM-RAJAHMUNDY STRETCH OF RIVER GODAVARI AND WAZIRABAD-VIJAYAWADA STRETCH OF RIVER KRISHNA) ACT, 2008

A N

ACT

to provide for the declaration of the Kakinada-Puducherry stretch of canals comprising of Kakinada canal, Eluru canal, Commamur canal, Buckingham canal and the Kaluvelly tank, Bhadrachalam-Rajahmundry stretch of river Godavari and Wazirabad-Vijayawada stretch of river Krishna in the States of Andhra Pradesh and Tamil Nadu and the Union territory of Puducherry to be a national waterway and also to provide for the regulation and development of the said stretch of the rivers and the canals for the purposes of shipping and navigation on the said waterway and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the National Waterway (Kakinada-Puducherry stretch of Canals and Kaluvelly Tank, Bhadrachalam-Rajahmundry stretch of River Godavari and Wazirabad-Vijayawada stretch of River Krishna) Act, 2008.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Declaration of certain stretches of rivers and canals as National Waterway.*— Kakinada-Puducherry stretch of canals comprising of Kakinada canal, Eluru canal, Commamur canal, Buckingham canal and the Kaluvelly tank, Bhadrachalam-Rajahmundry stretch of river

Godavari and Wazirabad-Vijayawada stretch of river Krishna, the limits of which are specified in the Schedule, is hereby declared to be a National Waterway.

3. Declaration as to expediency of control by the Union of certain stretches of rivers and canals as National Waterway.— It is hereby declared that it is expedient in the public interest that the Union should take under its control the regulation and development of Kakinada-Puducherry stretch of canal comprising of Kakinada canal, Eluru canal, Commamur canal, Buckingham canal and Kaluvelly tank, Bhadrachalam-Rajahmundry stretch of river Godavari and Wazirabad-Vijayawada stretch of river Krishna for the purposes of shipping and navigation on the national waterway to the extent provided in the Inland Waterways Authority of India Act, 1985. 82 of 1985.

THE SCHEDULE

(See section 2)

Limits of the National Waterway (Kakinada-Puducherry stretch of Canals and Kaluvelly Tank, Bhadrachalam-Rajahmundry stretch of river Godavari and Wazirabad-Vizayawada stretch of river Krishna)

Kakinada-Puducherry canal

(Canal system consisting of Kakinada canal, Eluru canal, Commamur canal and North Buckingham canal, portion of the Coovum river linking North and South Buckingham canals, South Buckingham canal and Kaluvelly tank)

Northern limit A line drawn across the Kakinada canal parallel to the Jagannadhapuram road bridge, Kakinada at a distance of 500 metres down stream at Lat $16^{\circ} 56' 24''$ N, Lon $82^{\circ} 14' 20''$ E.

Southern limit Junction of East Coast Highway and Chinnakalawari-Kanakachettikulam road at Kanakachettikulam which is the end point of the artificial canal link to Kaluvelly tank at Lat $12^{\circ} 02' 36''$ N, Lon $79^{\circ} 52' 12''$ E.

River Godavari

Western limit Road bridge at Bhadrachalam across river Godavari at Lat $17^{\circ} 40' 39''$ N, Lon $80^{\circ} 52' 52''$ E.

Eastern limit Sir Arthur Cotton barrage across river Godavari at Dowlaiswaram, Rajahmundry at Lat $16^{\circ} 56' 05''$ N, Lon $81^{\circ} 45' 32''$ E.

River Krishna

Western limit Road bridge at Wazirabad across river Krishna at Lat $16^{\circ} 40' 50''$ N, Lon $79^{\circ} 39' 29''$ E.

Eastern limit Prakasam barrage across river Krishna at Vijayawada at Lat $16^{\circ} 30' 18''$ N, Lon $80^{\circ} 36' 23''$ E.

Notification

10/2/2007-LA(Part file)/76

The National Waterway (Talcher-Dhamra Stretch of Rivers, Geonkhali-Charbatia Stretch of East Coast Canal, Charbatia-Dhamra Stretch of Matai River and Mahanadi Delta Rivers) Act, 2008 (Central Act No. 23 of 2008), which has been passed by Parliament and assented to by the President of India on 17-11-2008 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 18-11-2008, is hereby published for general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Parvorim, 6th March, 2009.

THE NATIONAL WATERWAY (TALCHER-DHAMRA STRETCH OF RIVERS, GEONKHALI-CHARBATIA STRETCH OF EAST COAST CANAL, CHARBATIA-DHAMRA-STRETCH OF MATAI RIVER AND MAHANADI DELTA RIVERS) ACT, 2008

A N

ACT

to provide for the declaration of the Talcher-Dhamra stretch of Brahmani-Kharsua-Dhamra rivers, Geonkhali-Charbatia stretch of East Coast Canal, Charbatia-Dhamra stretch of Matai river and Mahanadi delta rivers between Mangalgadi and Paradip in the States of West Bengal and Orissa to be a national waterway and also to provide for the regulation and development of the said stretch of the rivers and the canals for the purposes of shipping and navigation on the said waterway and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

1. Short title and commencement.— (1) This Act may be called the National Waterway (Talcher-Dhamra Stretch of Rivers, Geonkhali-Charbatia Stretch of East Coast Canal, Charbatia-Dhamra Stretch of Matai River and Mahanadi Delta Rivers) Act, 2008.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Declaration of certain stretches of rivers and canals as National Waterway.— The Talcher-Dhamra stretch of Brahmani-Kharsua-Dhamra rivers, Geonkhali-Charbatia stretch of East Coast Canal, Charbatia-Dhamra stretch of Matai river and Mahanadi delta rivers between Mangalgadi and Paradip, the limits of which are specified in the Schedule, is hereby declared to be a National Waterway.

3. Declaration as to expediency of control by the Union of certain stretches of rivers and canals for certain purposes.— It is hereby declared that it is expedient in the public interest that the Union should take under its control the regulation and development of Talcher-Dhamra stretch of Brahmani-Kharsua-Dhamra rivers, Geonkhali-Charbatia stretch of East Coast Canal, Charbatia-Dhamra stretch of Matai river and Mahanadi delta rivers between Mangalgadi and Paradip for the purposes of shipping and navigation on the national waterway to the extent provided in the Inland Waterways Authority of India Act, 1985.

82 of 1985.

THE SCHEDULE

(See section 2)

Limits of the National Waterway (Talcher-Dhamra stretch of Brahmani-Kharsua-Dhamra Rivers, Geonkhali-Charbatia Stretch of East Coast Canal, Charbatia-Dhamra Stretch of Matai River and Mahanadi Delta Rivers)

East Coast Canal and Matai river

(Consisting of old Hijli tidal canal, Orissa coast canal and Matai river)

Northern limit Confluence point of Hooghly river and Hijli tidal canal at Geonkhali at Lat 22° 12' 20"N, Lon 88° 03' 07"E.

Southern limit Confluence of Matai river and Dhamra river near Dhamra Fishing harbour at Lat 20° 47' 42"N, Lon 86° 53' 03"E.

Brahmani-Kharsua-Dhamra river system

(Consisting of Brahmani-Kharsua-Dhamra rivers)

North-Western limit Samal barrage across river Brahmani, Talcher at Lat 21° 04' 26"N, Lon 85° 08' 05"E.

South-Eastern limit An imaginary line drawn across Dhamra river at East Point of Kalibhanj Dian Reserved Forest near Chandhipal at Lat 20° 46' 26"N, Lon 86° 57' 15"E.

Mahanadi delta Rivers

(Consisting of Hansua river, Nuna nala, Gobri nala Khamasi river and Mahanadi river) (Alternate route-Hansua river enters into Bay of Bengal through northern point of False point bay, then enters river Kharnasi at southern end of False point bay, river Atharabanko, a northernly distributary of river Mahanadi)

Northern limit Confluence Kharsua river with Brahmani river at Ranchandrapur at Lat 20° 36' 55"N, Lon 86° 45' 05"E.

Southern limit An imaginary line in continuation to the Northern break water structure across the entrance channel at Paradip Port at Lat 20° 15' 38"N, Lon 86° 40' 55"E.

Notification

10/2/2007-LA(Part file)/84

The Unorganised Workers' Social Security Act, 2008 (Central Act No. 33 of 2008), which has been passed by Parliament and assented to by the President of India on 30-12-2008 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 31-12-2008, is hereby published for general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Pavvorim, 6th March, 2009.

THE UNORGANISED WORKERS' SOCIAL SECURITY ACT, 2008

A N

ACT

to provide for the social security and welfare of unorganised workers and for other matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:-

CHAPTER I

Preliminary

1 Short title, extent and commencement.— (1) This Act may be called the Unorganised Workers' Social Security Act, 2008.

(2) It extend to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2 Definitions.— In this Act, unless the context otherwise requires,—

(a) "employer" means a person or an association of persons, who has engaged or employed an unorganised worker either directly or otherwise for remuneration;

(b) "home-based worker" means a person engaged in the production of goods or services for an employer in his or her home or other premises of his or her choice other than the workplace of the employer, for remuneration, irrespective of whether or not the employer provides the equipment, materials or other inputs;

(c) "identity card" means a card, document or certificate issued to an unorganised worker by the District Administration under sub-section (3) of section 10;

(d) "National Board" means the National Social Security Board for unorganised workers constituted under sub-section (1) of section 5;

(e) "notification" means a notification published in the Official Gazette;

(f) "organised sector" means an enterprise which is not an unorganised sector;

(g) "prescribed" means prescribed by rules made under this Act by the Central Government or the State Government, as the case may be;

(h) "registered worker" means an unorganised worker registered under sub-section (3) of section 10;

(i) "Schedule" means the Schedule annexed to the Act;

(j) "State Board" means the (name of the State) State Social Security Board for unorganised workers constituted under sub-section (1) of section 6;

(k) "self-employed worker" means any person who is not employed by an employer, but engages himself or herself in any occupation in the unorganised sector subject to a monthly earning of an amount as may be notified by the Central Government or the State Government from time to time or holds cultivable land subject to such ceiling as may be notified by the State Government;

(l) "unorganised sector" means an enterprise owned by individuals or self-employed workers and engaged in the production or sale of goods or providing service of any kind whatsoever, and where the enterprise employs workers, the number of such workers is less than ten;

(m) "unorganised worker" means a home-based worker, self-employed worker or a wage worker in the unorganized sector and includes a worker in the organised sector who is not covered by any of the Acts mentioned in Schedule II to this Act; and

(n) "wage worker" means a person employed for remuneration in the unorganised sector, directly by an employer or through any contractor, irrespective of place of work, whether exclusively for one employer or for one or more employers, whether in cash or in kind, whether as a home-based worker, or as a temporary or casual worker, or as a migrant worker, or workers employed by households including domestic workers, with a monthly wage of an amount as may be notified by the Central Government and State Government, as the case may be.

CHAPTER II

Social Security Benefits

3. Framing of scheme.— (1) The Central Government shall formulate and notify, from time to time, suitable welfare schemes for unorganised workers on matters relating to—

(a) life and disability cover;

(b) health and maternity benefits;

(c) old age protection; and

(d) any other benefit as may be determined by the Central Government.

(2) The schemes included in the Schedule I to this Act shall be deemed to be the welfare schemes under sub-section (1)

(3) The Central Government may, by notification, amend the Schedules annexed to this Act.

(4) The State Government may formulate and notify, from time to time, suitable welfare schemes for unorganised workers, including schemes relating to—

- (a) provident fund;
- (b) employment injury benefit;
- (c) housing;
- (d) educational schemes for children;
- (e) skill upgradation of workers;
- (f) funeral assistance; and
- (g) old age homes.

4 Funding of Central Government Schemes.—

(1) Any scheme notified by the Central Government may be—

(i) wholly funded by the Central Government;

or

(ii) partly funded by the Central Government and partly funded by the State Government; or

(iii) partly funded by the Central Government, partly funded by the State Government and partly funded through contributions collected from the beneficiaries of the scheme or the employers as may be prescribed in the scheme by the Central Government.

(2) Every scheme notified by the Central Government shall provide for such matters that are necessary for the efficient implementation of the scheme including the matters relating to,—

- (i) scope of the scheme;
- (ii) beneficiaries of the scheme;
- (iii) resources of the scheme;
- (iv) agency or agencies that will implement the scheme;
- (v) redressal of grievances; and
- (vi) any other relevant matter.

CHAPTER III

National Social Security Board for Unorganised Workers

5. National Social Security Board.—(1) The Central Government shall, by notification, constitute a National Board to be known as the National Social Security Board to exercise the powers conferred on, and to perform the functions assigned to, it under this Act.

(2) The National Board shall consist of the following members, namely:—

- (a) Union Minister for Labour and Employment —Chairperson, *ex officio*;
- (b) the Director General (Labour Welfare) —Member-Secretary, *ex officio*; and
- (c) thirty-four members to be nominated by the Central Government, out of whom—
 - (i) seven representing unorganised sector workers;
 - (ii) seven representing employers of unorganised sector;
 - (iii) seven representing eminent persons from civil society;
 - (iv) two representing members from Lok Sabha and one from Rajya Sabha;
 - (v) five representing Central Government Ministries and Departments concerned; and
 - (vi) five representing State Governments.

(3) The Chairperson and other members of the Board shall be from amongst persons of eminence in the fields of labour welfare, management, finance, law and administration.

(4) The number of persons to be nominated as members from each of the categories specified in clause (c) of sub-section (2), the term of office and other conditions of service of members, the procedure to be followed in the discharge of their functions by, and the manner of filling vacancies among the members of, the National Board shall be such as may be prescribed:

Provided that adequate representation shall be given to persons belonging to the Scheduled Castes, the Scheduled Tribes, the Minorities and Women.

(5) The term of the National Board shall be three years.

(6) The National Board shall meet at least thrice a year, at such time and place and shall observe such rules of procedure relating to the transaction of business at its meetings, as may be prescribed.

(7) The members may receive such allowances as may be prescribed for attending the meetings of the National Board.

(8) The National Board shall perform the following functions, namely:-

(a) recommend to the Central Government suitable schemes for different sections of unorganised workers;

(b) advise the Central Government on such matters arising out of the administration of this Act as may be referred to it;

(c) monitor such social welfare schemes for unorganised workers as are administered by the Central Government;

(d) review the progress of registration and issue of identity cards to the unorganised workers;

(e) review the record keeping functions performed at the State level;

(f) review the expenditure from the funds under various schemes; and

(g) undertake such other functions as are assigned to it by the Central Government from time to time.

CHAPTER IV

State Social Security Board for Unorganised Workers

6. State Social Security Board.—(1) Every State Government shall, by notification, constitute a State Board to be known as (name of the State) State Social Security Board to exercise the powers conferred on, and to perform the functions assigned to it, under this Act.

(2) The State Board shall consist of the following members, namely:-

(a) Minister of Labour and Employment of the concerned State —Chairperson, *ex officio*;

(b) the Principal Secretary or Secretary (Labour) —Member-Secretary, *ex officio*; and

(c) twenty-eight members to be nominated by the State Government, out of whom—

(i) seven representing the unorganised workers;

(ii) seven representing employers of unorganised workers;

(iii) two representing members of Legislative Assembly of the concerned State;

(iv) five representing eminent persons from civil society; and

(v) seven representing State Government Departments concerned.

(3) The Chairperson and other members of the Board shall be from amongst persons of eminence in the fields of labour welfare, management, finance, law and administration.

(4) The number of persons to be nominated as members from each of the categories specified in clause (c) of sub-section (2), the term of office and other conditions of service of members, the procedure to be followed in the discharge of their functions by, and the manner of filling vacancies among the members of, the State Board shall be such as may be prescribed:

Provided that adequate representation shall be given to persons belonging to the Scheduled Castes, the Scheduled Tribes, the Minorities and Women.

(5) The term of the State Board shall be three years.

(6) The State Board shall meet atleast once in a quarter at such time and place and shall observe such rules of procedure relating to the transaction of business at its meetings, as may be prescribed.

(7) The members may receive such allowances as may be prescribed for attending the meetings of the State Board.

(8) The State Board shall perform the following functions, namely:-

(a) recommend the State Government in formulating suitable schemes for different sections of the unorganised sector workers;

- (b) advise the State Government on such matters arising out of the administration of this Act as may be referred to it;
- (c) monitor such social welfare schemes for unorganised workers as are administered by the State Government;
- (d) review the record keeping functions performed at the District level;
- (e) review the progress of registration and issue of cards to unorganised sector workers;
- (f) review the expenditure from the funds under various schemes; and
- (g) undertake such other functions as are assigned to it by the State Government from time to time.

7. Funding of State Government Schemes.— (1) Any scheme notified by the State Government may be—

- (i) wholly funded by the State Government; or
 - (ii) partly funded by the State Government, partly funded through contributions collected from the beneficiaries of the scheme or the employers as may be prescribed in the scheme by the State Government.
- (2) The State Government may seek financial assistance from the Central Government for the schemes formulated by it.
- (3) The Central Government may provide such financial assistance to the State Governments for the purpose of schemes for such period and on such terms and conditions as it may deem fit.

8. Record keeping by District Administration.— The record keeping functions for the purpose of this Act shall be performed by the District Administration:

Provided that the State Government may direct that the record keeping function shall be performed by—

- (a) the District Panchayat in rural areas; and
- (b) the Urban Local Bodies in urban areas.

9. Workers facilitation centres.— The State Government may set up such Workers' facilitation centres as may be considered necessary from time to time to perform the following functions, namely:—

- (a) disseminate information on available social security schemes for the unorganised workers;
- (b) facilitate the filling, processing and forwarding of application forms for registration of unorganised workers;
- (c) assist unorganised worker to obtain registration from the District Administration;
- (d) facilitate the enrollment of the registered unorganised workers in social security schemes.

CHAPTER V

Registration

10. Eligibility for registration and social security benefits.— (1) Every unorganised worker shall be eligible for registration subject to the fulfilment of the following conditions, namely:—

- (a) he or she shall have completed fourteen years of age; and
- (b) a self-declaration by him or her confirming that he or she is an unorganised worker.

(2) Every eligible unorganised worker shall make an application in the prescribed form to the District Administration for registration.

(3) Every unorganised worker shall be registered and issued an identity card by the District Administration which shall be a smart card carrying a unique identification number and shall be portable.

(4) If a scheme requires a registered unorganised worker to make a contribution, he or she shall be eligible for social security benefits under the scheme only upon payment of such contribution.

(5) Where a scheme requires the Central or State Government to make a contribution, the Central or State Government, as the case may be, shall make the contribution regularly in terms of the scheme.

CHAPTER VI

Miscellaneous

11. Power of Central Government to give directions.— The Central Government may give directions to—

- (i) the National Board; or
- (ii) the Government of a State or the State Board of that State,

in respect of matters relating to the implementation of the provisions of this Act.

12. Vacancies, etc., not to invalidate proceedings.— No proceedings of the National Board or any State Board shall be invalid on the ground merely of the existence of any vacancy or defect in the constitution of the National Board or, as the case may be, the State Board.

13. Power to make rules by Central Government.— (1) The Central Government may, by notification, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the contributions to be collected from the beneficiaries of the scheme or the employers under sub-section (1) of section 4;

- (b) the number of persons to be nominated, the term of office and other conditions of service of members, the procedure to be followed in the discharge of functions by, and the manner of filling vacancies of, the National Board under sub-section (4) of section 5;

- (c) the rules of procedure relating to the transaction of the business at the meeting of the National Board under sub-section (6) of section 5;

- (d) the allowances for attending the meetings of the National Board under sub-section (7) of section 5;

- (e) the form for making an application for registration under sub-section (2) of section 10; and

- (f) any other matter which is required to be, or may be, prescribed.

14. Power to make rules by State Government.— (1) The State Government may, by notification, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the number of persons to be nominated, the term of office and other conditions of service of members, the procedure to be followed in the discharge of functions by, and the manner of filling vacancies of, the State Board under sub-section (4) of section 6;

- (b) the rules of procedure relating to the transaction of business at the meetings of the State Board under sub-section (6) of section 6;

- (c) the allowances for attending the meetings of the State Board under sub-section (7) of section 6;

- (d) the contributions to be collected from the beneficiaries of the scheme or the employers under sub-section (1) of section 7;

- (e) the form in which the application for registration shall be made under sub-section (2) of section 10; and

- (f) any other matter which is required to be, or may be, prescribed.

15. Laying of rules.— (1) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(2) Every rule made under this Act by State Government shall be laid, as soon as may be after it is notified, before the State Legislature.

16. Saving of certain laws.— Nothing contained in this Act shall affect the operation of any corresponding law in a State providing welfare schemes which are more beneficial to the unorganised workers than those provided for them by or under this Act.

17. Power to remove difficulties.— (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

SCHEDULE I

[See sections 2 (i) and (3)]

Social Security Schemes for the Unorganised Workers

S. No.	Name of the Scheme
1	Indira Gandhi National Old Age Pension Scheme.
2	National Family Benefit Scheme.
3	Janani Suraksha Yojana.
4	Handloom Weavers' Comprehensive Welfare Scheme.
5	Handicraft Artisans' Comprehensive Welfare Scheme.
6	Pension to Master craft persons.
7	National Scheme for Welfare of Fishermen and Training and Extension.
8	Janshree Bima Yojana.
9	Aam Admi Bima Yojana.
10	Rashtriya Swasthya Bima Yojana.

SCHEDULE II

[See section 2(m)]

S. No.	Name of the Act
1	The Workmen's Compensation Act, 1923 (8 of 1923).
2	The Industrial Disputes Act, 1947 (14 of 1947).
3	The Employees' State Insurance Act, 1948 (34 of 1948).
4	The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952).
5	The Maternity Benefit Act, 1961 (53 of 1961).
6	The Payment of Gratuity Act, 1972 (39 of 1972).

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Department of Personnel

Notification

1/1/2004-PER (Pt. File I)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Group 'C',

Non-Ministerial, Non-Gazetted post, in the Directorate of Official Language, Government of Goa, namely:—

1 Short title, application and commencement.—(1) These rules may be called the Government of Goa, Directorate of Official Language, Group 'C', Non-Gazetted Non-Ministerial, post, Recruitment Rules, 2009.

(2) They shall apply to the post specified in column (1) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2 Number, classification and scale of pay.—The number of posts, classification of the said post and the scale of pay attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

Provided that the Government may vary the number of posts specified in column (2) of the said Schedule from time to time subject to exigencies of work.

3 Method of recruitment, age limit and other qualifications.— The method of recruitment to the said post, age limit, qualifications and other matters connected therewith shall be as specified in columns (5) to (13) of the said Schedule.

4 Disqualification.— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5 Power to relax.— Where, the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

6 Saving.— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).

Porvorim, 12th March, 2009.

SCHEDULE

J 474

Name/ Designation of post	Number of posts	Classifi- cation	Scale of pay	Whether selection post or non- selec- tion post	Age limit for direct recruits	Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment, whether by direct recruitment or by promotion or by deputation/ /transfer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ /deputation/ transfer, grades from which promotion/ /deputation/ /transfer is to be made	If a D.S.C./ /D. P. C. exists, what is its composition	Circumstances in which Goa Public Service Commission is to be consulted in making re- cruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Junior Translator (Hindi). Junior Translator (Sub- ject to varia- tion Non- depend- ent on work- load).	1 (2009)	Group C, (Sub- ject to varia- tion Non- depend- ent on work- load).	Rs. 4500- -125- -7000.	Non- Selec- tion.	Not exceed- ing 40 years (Relaxable for Govern- ment servants upto 5 years in accor- dance with the orders or instructions issued by the Government).	N. A.	Essential: (1) Bachelor's Degree in Hindi. (2) Knowledge of Konkani. Desirable: (1) Master of Arts in Hindi language. (2) Knowledge of Marathi.	N. A.	Two years.	By direct recruitment.	N. A.	Group C, D. S. C./ /D. P. C consisting of:- (1) Head of Depart- ment/ex officio Joint Secretary -Chairman. (2) Joint Secretary (Personnel) -Member. (3) Joint Secretary (GA) -Member.	

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